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**PATENT**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
Burton Barnett )  
Serial No.: 10/060,840 )  
Filed: January 30, 2002 )  
For: CARGO TRAILER ANTI- )  
TERRORIST AND ANTI- )  
THEFT SYSTEM )

)  
Examiner: Melody Burch  
Art Unit: 3683  
Anaheim, California

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Joni Whyte

Toni Whyte

Date:

December 13, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE =  
BEFORE THE BOARD OF APPEALS

APPELLANT'S BRIEF PURSUANT TO CONSOLIDATED PATENT  
RULES § 41.37

## Honorable Commissioner of Patents

12/17/2004 DEMMANU1 00000008 10060840

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**250.00 DP**

P.O.Box 1450  
Alexandria, VA 22313-1450

In accordance with Consolidated Patent Rules 41.37 Appellant hereby submits its Brief on Appeal together with the fee in the amount of \$ 250 as required by the new fee schedule that went into effect on December 8, 2004.

**Real Party in Interest [§ 41.37(c)(1)(i)]**

The real party in interest is:

Cargo Safe Inc., a corporation of California having a place of business at 12592 Martha Ann Drive, Rossmoor, California 90720, by virtue of assignment recorded on Reel/Frame 012553/0528 in the United States Patent and Trademark Office.

**Related Appeals and Interferences [§ 41.37(c)(1)(ii)]**

There are no related appeals, interferences or judicial proceedings.

**Status of Claims [§ 41.37(c)(1)(iii)]**

Claims 1, 3 – 7, and 9 – 31 are pending in the application.

Claims 1, 3 – 7, 9 – 18, 21 - 26 and 29 – 31 were rejected in the final Office Action of September 8, 2004 and are under appeal.

Claims 19, 20, 27 and 28 were objected to but indicated to contain allowable subject matter.

Claims 2, 8 and 32 were canceled by the applicant during prosecution.

**Status of Amendments [§ 41.37(c)(1)(iv)]**

No amendment was filed after the final rejection of Claims 1, 3 – 7, 9 – 18, 21 - 26 and 29 – 31. All amendments filed before the final rejection have been entered and comprise the record on this appeal.

## Summary of Claimed Subject Matter [§ 41.37(c)(1) (v)]

The claimed subject matter, in its broadest terms, relates to a dual chamber brake system (page 6 line 22 to page 7 line 14; Figure 5 and 7 items 34 and 36) that operates with compressed air (page 7 lines 4 – 14; Figures 5 and 7 items 42 and 44) and is the type frequently used on trucks and trailers (hereinafter vehicles).

According to the present invention the dual chamber brake system includes electro-mechanical equipment [(electro-mechanical means; page 10 line 19 to page 12 line 8; page 17 line 5 – 13; Figures 5, 6, 7, 8, 9, and 10, items 100 (solenoid valve) 102 (receiver decoder)] to allow through the use of a coded signal, the stopping of a moving vehicle by authorized persons, such as police, in response to a perceived terrorist threat and also allows, through the use of another coded signal, to render the vehicle mobile again by the authorized person (such as police) after the terrorist threat has passed or has been eliminated [page 13 line 20 to page 14 line 18, Figure 9 items 110 (circuit), 114 (limit switch), 116 and 118 (switches), 109 (battery)].

Significantly, the electro-mechanical equipment (Figures 5 and 7, items 100 and 102) is built into the brake system to be substantially tamper-proof or very difficult to tamper with because it is incorporated in one of the pressurizable chambers (Figures 5 and 7 items 34 and 36). Consequently, the goal of providing a reliable anti-terrorist device is achieved.

Independent Claim 1 recites the above-summarized invention in terms of an “apparatus”, Claim 7 recites the invention in terms of a “dual chamber brake system”.

A further refinement of the invention is the dual chamber brake system having the electro-mechanical equipment [(electro-mechanical means; page 10 line 19 to page 12 line 8; page 17 line 5 – 13; Figures 5, 6, 7, 8, 9, and 10, items 100 (solenoid valve) 102 (receiver decoder)] mounted in one of the pressurizable chambers (Figures 5 and 7 items 34 and 36) to serve the dual purposes of being an anti-terrorist and anti-theft device. The structure described above in connection with rejected Claims 1 and 7 serves the first, anti-terrorist purpose. The second, anti-theft feature allows an authorized operator of the vehicle to immobilize the vehicle, by using a coded signal different than the coded signal used by police or other authority, as an anti-theft measure and to render the vehicle mobile again by using still another coded signal [page 14, line 19 to page 16, line 9, Figure 9, items items 110 (circuit), 114 (limit switch), 116 and 118 (switches), 109 (battery)]. Again, the electro-mechanical equipment is built into the brake system in one of the pressurizable chambers (Figures 5 and 7 items 34 and 36) to be substantially tamper-proof or very difficult to tamper with so that the goals of providing a reliable anti-terrorist and anti-theft device is achieved. Independent Claims 13 recites this invention in terms of an “apparatus” and independent Claim 21 recites this invention in terms of a “dual chamber brake system”.

Dependent Claims 3 to 6 describe details of the implementation of the “anti--terrorist apparatus” described in Claim 1 namely; in **Claim 3** that the apparatus includes a solenoid valve (page 5, line 1, Figures 5 and 7, item 100);

in **Claim 4** that the electromechanical means include solenoid valve and a receiver decoder for receiving the first and second coded signals and for controlling the solenoid valve in response to said signals (page 11 line 1 to page 12 line 2; page 12 line 23 to page 14 line 18, Figures 5 to 11 items 100 and 102);

in **Claim 5** that the solenoid valve is controlled by the flow of electric current to vent from or introduce pressurized air into the second chamber signals (page 11 line 1 to page 12 line 2; page 12 line 23 to page 14 line 18, Figures 5 to 11 items 100 and 102);

in **Claim 6** that in addition to the component described in Claim 5 a switch is interposed between the power source and the solenoid valve (page 17 line 5 – 13, Figure 9, item 118).

Dependent Claims 9, 10, 11 and 12 define the same subject matter, in terms of a “dual chamber brake system” which is described by Claims 3, 4, 5 and 6, respectively, in terms of an “apparatus”.

Dependent Claims 14, 15, 16, 17 and 18 describe details of the implementation of the “anti-terrorist and anti-theft apparatus” described in **Claim 7**.

Claims 18 is particularly noteworthy because it describes a “switch and circuit means” interposed between the power source (item 109) and the solenoid valve (item 100), describes that the receiver decoder (item 102) controls the switch and circuit means in response to four separate signals and describes in terms of the flow of current the manner of operation of the “switch and circuit means” (page 13 line 20 to page 15 line 22, Figures 9 to 11, items 100, 109, 110, 112, 114, 116, 118 and 120).

Dependent Claims 22, 23, 24, 25 and 26 define the same subject matter, in terms of a “dual chamber brake system” which is described by Claims 14, 15, 16, 17 and 18, respectively, in terms of an “apparatus”.

Independent Claim 29 describes the anti-terrorist and anti-theft apparatus of Claim 7 including substantial details of its implementation, such as the electro-mechanical means, including the solenoid valve (item 100), receiver decoder (item 102), adapted for receiving four separate coded signals, the switch and circuit means and describes in terms of the flow of current the manner of operation of the “switch and circuit means” (page 13 line 20 to page 15 line 22, Figures 9 to 11, items 100, 109, 110, 112, 114, 116, 118 and 120).

Claim 30 depends on Claim 29 and recites the inclusion of a proximity switch (item 114) and the relationship of the proximity switch to the circuit paths (page 14 line 19 to page 16 line 9; Figures 9 – 11, items 110, 112 and 120).

Independent Claim 31 defines the same subject matter, in terms of a “dual chamber brake system” which is described by Claim 29 in terms of an “apparatus”.

**Grounds of Rejection to be Reviewed on Appeal [§ 41.37(c)(1)(vi)]**

The sole ground of rejection involved in this appeal is “obviousness” pursuant to 35 U.S.C. Section 103(a).

Specifically, claims 1, 3 – 7 and 9 – 12 were rejected as defining obvious subject matter over a combination of U. S. Patent No. 3,735,834 (St.

*Onge*), U.S Patent No. 6,367,888 (*Kee et al.*), and U.S. Patent No. 4,192,557 (*Leiber*).

Claims 1, 3 – 7 and 9 – 12 were also rejected over the combination of (*St. Onge*), and *Leiber*.

Claims 13 and 21 were rejected over a combination of *St. Onge*, *Kee et al.* and U. S. Patent No. 4,085716 (*Minami*).

Claims 13 and 21 were also rejected over a combination of *St. Onge* and *Minami*.

Claims 14, 15, 22 and 23 were rejected over a combination of *St. Onge*, *Kee et al.*, *Minami* and *Leiber*.

Claims 14, 15, 22 and 23 were also rejected over a combination of *St. Onge*, *Minami* and *Leiber*.

Claims 16 – 18 and 24 – 26 were rejected over a combination of *St. Onge*, *Kee et al.*, *Minami*, *Leiber* and United States Patent No. 5,133,323 (*Treusch*).

Claims 16 – 18 and 24 – 26 were also rejected over a combination of *St. Onge*, *Minami*, *Leiber* and *Treusch*.

**Argument [§ 41.37(c)(1)(vii)]**

**Rejection Pursuant to 35 U.S.C. § 103(a); Claims Discussed in 6 Separate Groups**

**Comments Applicable to All Claims:**

Applicant urges that the Examiner has seriously misunderstood the application of the obviousness statute 35 U.S.C Section 103(a) to any and all claims pending in this appeal.

35 U.S.C. Section 103(a) provides in relevant part:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. (emphasis added).

To support the rejection of each claim pending in this appeal the Examiner cited a combination of references, for most claims at least three references (for some as many as five) selectively picking and choosing features or component parts from each reference and then declaring that combination of the chosen parts or features renders the subject matter of the claim obvious. The Examiner's statement on page 16 last two lines of the final Office Action that "Since the combination of the references teaches the claimed invention, the rejections have been maintained" is highly revealing of the Examiner's erroneous application of the obviousness statute.

The serious errors in the Examiner's approach are that the relied-upon references pertain to divergent fields within the automotive and remote-control industry, and that none of the relied-upon references include any hint, suggestion, or motivation for a person of ordinary skill in the art to combine the cited features or components to arrive to applicant's invention. Thus, the Examiner failed to consider the invention *as a whole* as is required by statute and failed to explain why a person of ordinary skill in the

art would be motivated to combine features or component parts from the numerous references (in the case of some claims as many as five references) to arrive to the claimed invention as a whole.

As further evidence of the Examiner's misunderstanding of the claimed subject matter and erroneously applying the obviousness standard applicant notes that some groups of claims ("groups" as recited in the final Office Action and not necessarily in this Brief on Appeal) were rejected as obvious over one combination of references, and then again on the combination of the previously recited references less one reference. An example for this is the group of claims 16 – 18 and 24 – 26 which were rejected over a combination of five references *to wit: St. Onge, Kee et al., Minami, Leiber and Treusch* and again on a combination of the previously recited group minus the *Kee et al.* reference. Clearly, the Examiner applied the obviousness standard erroneously when she combined five references to arrive to obviousness, but also held that the claimed subject matter is "obvious" over a combination of only four of the previously recited five.

Applicant respectfully submits that under the standard of obviousness applied by the Examiner regarding the claims on appeal here, virtually no claim directed to a mechanical or electro-mechanical invention would be found non-obvious because virtually all mechanical or electro-mechanical inventions, no matter how novel and inventive, include component parts which individually could be found in references.

#### Claim Group 1, Claims 1 and 7

Claims 1 and 7 were rejected over a combination of the *St. Onge*, *Kee et al.*, and *Leiber* references.

The *St. Onge* reference describes a dual chamber brake system that includes a pressure relief valve controlled by a solenoid, which can release pressurized air from the chamber in which the strong spring of the brake system is located. However, in contrast with the invention claimed in Claims 1 and 7 the system is not responsive to a coded signal, rather it is operated by turning of a key connected to the solenoid by wires. (see Column 3 lines 33 to Column 4 line 15 of the *St. Onge* reference.) Significantly, in contrast with the present invention the relief valve of *St. Onge* is mounted outside of any of the pressurized or pressurizable chambers. Unlike in *St. Onge* in the present invention the electronic-mechanical parts (solenoid and receiver-decoder) are mounted within one of the pressurized or pressurizable chambers. The latter feature renders the device of the present invention significantly more tamper proof or more difficult to tamper with than the device of *St. Onge*. Moreover, because the *St. Onge* device works with a key it is not susceptible to be inactivated by any remote signal, much less by a remote coded signal available only to police or like authority, so that it is not suitable to be used as an “anti-terrorist” device to stop a moving vehicle from outside of the vehicle, as for example by a chasing police car.

The *Kee et al.* reference includes a brake system that is responsive to a coded signal that disables the system (locks the brakes) and to another coded signal that enables the system (unlocks the brakes). However, the *Kee et al.* reference does not include an important feature of the invention which is placing the electro-mechanical “security system”, that is a receiver decoder and solenoid valve, in the pressurizable and therefore highly protected portion of the brake system. Figure 1 of *Kee et al.* shows that the control parts that receive remotely transmitted coded signals are in a cabinet (25 in

the drawing of the reference) and not in the pressurizable brake system. Thus, the control parts (in cabinet 25) of the device in *Kee et al.* are susceptible to tampering by a potential terrorist, thief or other wrong-doer.

The *Leiber* reference was cited in the Office Action to show that the solenoid valve is mounted in a ‘second chamber’. However, a close reading of *Leibner* reveals that it does not describe a brake system where the operation of the brakes is prevented by use of a solenoid. *Leibner* discloses an anti-lock brake system that has nothing to do with the anti-theft and anti-terrorist security to which the present invention is directed. The solenoids (items 23, 27 and 28 in the reference) are used in *Leibner* to modulate the pressure of the hydraulic fluid that goes to the brakes. See Figure 2 of the reference which shows that the pressure modulator is not within the brake system.

Significantly there is nothing in either of the three cited references which would suggest or motivate a person of ordinary skill in the art to combine the subject matter of these three references. Moreover, even if the cited features of these references were combined, one would not arrive to the presently claimed invention because *Leibner* does not place the solenoid and associated circuitry within a pressurized or pressurizable air brake system.

#### Claim Group 2, Claims 13 and 21

Claims 13 and 21 recite the substantially tamper proof or highly tamper resistant dual chamber brake system with the added feature that the system is responsive to separate signals used for stopping a moving vehicle as in the case of “anti-terrorist” action and signals used for locking the brakes when the vehicle is not moving and the operator’s intention is to employ the “anti-theft” feature of the invention.

Claims 13 and 21 were rejected over the combination of the *St. Onge*, *Kee et al.*, and *Minami* references. Claims 13 and 21 were also rejected over a combination of *St. Onge* and *Minami*.

The *St. Onge* and *Kee et al.* references were discussed above. The *Minami* reference describes a carburetor control system for controlling the air fuel ratio of the fuel that goes into an internal combustion engine. The signals are feedback in response to what occurs in the internal combustion engine. In the device of this reference an operator/driver does not give remote control or other signals to the modulator. Rather, it is a sensor that gives the signals.

Applicant urges that neither of these three references provide any motivation or suggestion for a person of ordinary skill in the art to combine their components or features to arrive to the subject matter of Claims 13 and 21. In fact, if only *St. Onge* and *Kee et al.* were combined then the claimed subject matter would not be obtained because the electro-mechanical means would not be in one of the pressurizable chambers and therefore the device would not be as tamper proof as the claimed device. In the event the *St. Onge*, *Kee et al.* and *Minami*, all three, were combined then the electro-mechanical means still would not be in one of the pressurizable chambers and therefore the device would not be as tamper proof as the claimed device. Moreover, because the signals in *Minami* originate from a sensor in a carburetor control system for controlling the air fuel ratio of the fuel that goes into an internal combustion engine, the concept of controlling the air brakes of a vehicle is far remote from the reference.

#### Claim Group 3, Claims 3 to 6 and Claims 9 to 12

These claims describe the details of the implementation of the “anti-terrorist” apparatus or brake system. These claims are still further inventive

over their respective parent claims because of the still more significantly decreasing likelihood that a person of ordinary skill in the art would employ the recited components on the basis of the cited references.

**Claim Group 4, Claims 14 to 17 and 22 to 25**

These claims describe the details of the implementation of the “anti-terrorist and anti-theft” apparatus or brake system. These claims are still further inventive over their respective parent claims because of the still more significantly decreasing likelihood that a person of ordinary skill in the art would employ the recited components on the basis of the cited references.

**Claim Group 5, Claims 18 and 26**

Claims 18 and 26 were rejected for obviousness over a combination of the *St. Onge, Kee et al., Minami, Leiber* and *Treusch* references. These claims were also rejected on the basis of only four of the above-noted references, namely *St. Onge, Minami, Leiber* and *Treusch*.

The *St. Onge, Kee et al., Minami* and *Leiber* references were discussed above. The *Treusch* reference, like the *Minami* reference, is again directed to a fuel supply system for an internal combustion engine. Item 56 in this reference (Column 3, line 20) is a Hall-effect sensor. Chamber 48 is a fuel pressure sensing chamber. The sensor 56 senses fuel pressure and sends signals to a computer which then sends a feedback signal to the pump to pump more or less fuel. Thus, the device of this reference is a closed-loop feedback system including a pressure sensing device.

Claims 18 through 16 add the feature to their respective parent claims which recites the operation of the circuitry (page 13 line 20 to page 15 line 22, Figures 9 to 11, items 100, 109, 110, 112, 114, 116, 118 and 120) of the invention in terms of the manner current operates the device, namely by reciting,

“the switch and circuit means being adapted for  
(1) interrupting the flow of current in response to the first signal received by the receiver decoder;  
(2) interrupting the flow of current in response to the third signal received by the receiver decoder;  
(3) allowing the flow of current in response to the second signal, received by the receiver decoder, and  
(4) allowing the flow of current in response to the fourth signal received by the receiver decoder.”

None of the references used for the rejection provide a suggestion or motivation to a person of ordinary skill in the art to combine their features or components to arrive at the subject matter of these two claims., especially not in view of the fact that the “fuel supply system” subjects of the *Minami* and *Treusch* references are quite remote from the presently claimed subject matter of a dual chamber brake system. Moreover, the actual combination of the four or even five of the references cited against these two claims still would not give rise to the subject matter invention of Claims 18 and 26 (including the specific operation of the circuitry) and therefore the claimed subject matter is not obvious.

#### Claim Group 6, Claim 29, 30 and 31

Independent Claim 29 recites the subject matter of the above-discussed claims of Claim Group 5 and additionally recites

“the switch and circuit means including three separate switches, one of said switches being a proximity switch controlled by the position of the brake actuator and staying in a closed position when pressurized air is present in the second chamber, the other two switches being controlled by the receiver decoder.”

Claim 30 depends on Claim 29 and recites further features of the “switch and circuit means”, of Claim 29 such as

1) a conducting line between the solenoid valve and the power source, said conducting line including one of said switches controlled by the receiver decoder in response to the first and second coded signals, the proximity switch being in line with said switch controlled by the receiver decoder in response to the first and second coded signals,

(2) the switch and circuit means further including a second conducting line in parallel with the proximity switch and in line with the switch controlled by the receiver decoder in response to the first and second coded signals, said second conducting line including the second of the three switches, said second switch being controlled by the receiver decoder in response to the third and fourth coded signals.

Independent Claim 31 includes in a single claim the subject matter of Claims 29 and 30 in terms of a dual chamber brake system, rather than as an apparatus as in Claim 29.

Although in the final Office Action’s “Summary” Claims 29, 30 and 31 were indicated “rejected”, applicant’s undersigned attorney was unable to find in the Office Action any discussion pertaining to these three

claims or a citation of references on the basis of which these three claims were rejected.

Clearly, even the five references cited against Claims 18 and 26, that is the combination of all five references cited against the claims, fall far short of suggesting the recited features of “three separate switches”, including a “proximity switch” etc., and combination of even of these five references would not give rise to the subject matter of Claims 29, 30 or 31. For this reason the subject matters of Claims 29, 30 and 31 are not obvious and are patentable. In fact, the subject matter of Claim 29, in terms of an apparatus, is substantially the same as of Claim 27, in terms of a dual chamber brake system, which is indicated allowable. The subject matter of Claim 30, in terms of an apparatus, is substantially the same as of Claim 28, in terms of a dual chamber brake system, which is indicated allowable. Thus, the rejection of Claims 29, 30 and 31 for obviousness are clearly in error.

The Examiner stated that applicant failed to “provide any criticality associated with the placement of the receiver-decoder specifically in the second chamber” and, in effect, that applicant provided no explanation of its criticality. (see last two lines on page 14 and first line of page 15 of the final Office Action. By making this statement the Examiner is in serious error. In its amendment filed on June 22, 2004 applicant argued

“Before discussing the non-applicability of the cited references, standing alone or in combination with one another against the outstanding claims, applicant explains the claimed invention as follows. Specifically, without intending to replace the precise definitions in the claim language, applicant explains that the invention lies in the combination

or modification of the known dual chamber brake system with remote control technology in such a manner that theft of the vehicle or trailer and also use of the vehicle or trailer by a terrorist (or the like) can be prevented even while the vehicle or trailer is in motion. In other words, the present invention incorporates remote control technology in dual chamber brake systems in such a manner that a user can park the vehicle or trailer and lock the brakes with a high level of security that the locked brake cannot be unlocked by tempering with the system. Moreover, in accordance with the present invention law enforcement or like security personnel can stop a moving vehicle by remote control while utilizing a code that is only available to law enforcement thereby preventing accidental or inadvertent braking of a moving vehicle when this is not necessary. It is respectfully submitted that this combination is novel and unobvious.

(page 19 – 20 of the Amendment of June 22, 2004,  
underlining in original)

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Moreover, as it is clearly shown below, the cited references do not provide the temper proof security that the present invention provides, because any receiver-decoder and/or solenoid in the cited references is not placed into the pressurizable chamber of a dual chamber brake system.

(page 19 – 20 of the Amendment of June 22, 2004)

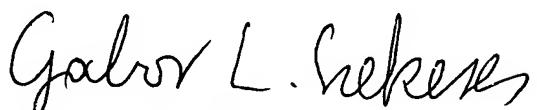
.....

In contrast to the above discussed references, in the present invention the receiver-decoder is mounted within the pressurizable first chamber that serves as a service housing chamber or in the second chamber chamber that serves as an emergency housing chamber. Applicant recognizes that the terminology of “first” and “second” chambers is somewhat arbitrary because either chamber could be designated first or second. However, as a result of the present amendment each chamber is defined in the claims in accordance with the function it serves in a dual chamber brake system, and as is described in the specification. (See for example page 8 of the specification.) Mounting the receiver-decoder (electro-mechanical means) in these pressurizable chambers is of great importance because it renders the device virtually tamper proof.” (page 22 of the Amendment of June 22, 2004, underlining added)

IN SUMMARY applicant emphasizes that the strict combination of any number of the cited references still fail to teach the presently claimed *invention as a whole*. Moreover, none of the cited references provide any suggestion or motivation to combine their features to arrive to the present invention. Applicant has invented a new and highly unobvious apparatus that is seriously needed in our country's fight against terrorism and is entitled to patent this invention as encompassed in the present claims.

Respectfully submitted

By:

  
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## APPENDIX

### CLAIMS ON APPEAL

1. An apparatus for locking and unlocking a brake actuator of a dual chamber brake system that operates brakes with compressed air, wherein the dual chamber includes the brake actuator in a first pressurizable chamber that serves as a service housing chamber and a high spring-rate spring in a second pressurizable chamber that serves as an emergency housing chamber, the brake actuator being movable in an axial direction to apply and release the brakes of the brake system; in the absence of compressed air the high spring-rate spring expanding to bias and keep the brake actuator in an axially forward position locking the brakes of the brake system, and wherein when there is compressed air in the second chamber the high spring-rate spring is compressed and allows retraction of the brake actuator from its forward position to unlock the brakes, the apparatus comprising:

electro mechanical means responsive to a first anti-terrorist coded signal for venting pressurized air from the second chamber and for preventing entry of pressurized air into the second chamber whereby expansion of the high spring rate spring causes the brake actuator to move into the axially forward position locking the brakes of the brake system, the electromechanical means being mounted in one of the pressurizable service housing chamber and the pressurizable emergency housing chamber, the electro mechanical means also being responsive to a second coded signal for allowing pressurized air to enter into the second chamber and for disallowing the venting of pressurized air from the second chamber thereby unlocking the brake actuator and unlocking the brakes, the second chamber further including an inlet port, said inlet port allowing attachment of a hose

through which pressurized air is normally supplied to the second chamber, and the electro mechanical means further including a solenoid valve mounted in the second chamber to shut-off the supply of pressurized air through the inlet port in response to the first coded signal, and allow the supply of pressurized air through the inlet port in response to the second coded signal.

3. An apparatus in accordance with Claim 1 wherein a conduit is included in the second chamber for venting pressurized air, said conduit being controlled by the solenoid valve, and wherein the solenoid valve allows the venting of pressurized air through the conduit in response to the first coded signal, and disallows the venting in response to the second coded signal.

4. An apparatus in accordance with Claim 1 wherein the electro mechanical means include the solenoid valve and a receiver decoder, said receiver decoder being adapted for receiving the first and second coded signals and for controlling the solenoid valve in response to said signals.

5. An apparatus in accordance with Claim 4 wherein the solenoid valve is controlled by the flow of electric current and wherein pressurized air is vented from the second chamber and entry of pressurized air into the second chamber is prevented in the absence of flow of current through the solenoid valve.

6. An apparatus in accordance with Claim 5 wherein the current is supplied from a power source, a switch is interposed between the power source and the solenoid valve, and wherein the receiver decoder controls the switch in response to the first and second signals, respectively.

7. A dual chamber brake system that operates brakes with compressed air to be used in trailers and vehicles, the brake system

including a brake actuator in a first pressurizable chamber that serves as a service housing chamber and a high spring-rate spring in a second pressurizable chamber that serves as an emergency housing chamber, the brake actuator being movable in an axial direction to apply and release the brakes of the brake system; in the absence of compressed air the high spring-rate spring expanding to bias and keep the brake actuator in an axially forward position locking the brakes of the brake system, the high spring-rate spring being compressed and allowing retraction of the brake actuator from its forward position so as to unlock the brakes when there is compressed air in the second chamber, the brake system further comprising:

electro mechanical means responsive to a first anti-terrorist coded signal for venting pressurized air from the second chamber and for preventing entry of pressurized air into the second chamber whereby expansion of the high spring rate spring causes the brake actuator to move into the axially forward position locking the brakes of the brake system, the electromechanical means being mounted in one of the pressurizable service housing chamber and the pressurizable emergency housing chamber, the electro mechanical means also being responsive to a second coded signal for allowing pressurized air to enter into the second chamber and for disallowing the venting of pressurized air from the second chamber thereby unlocking the brake actuator and unlocking the brakes, the second chamber further including an inlet port, said inlet port allowing attachment of a hose through which pressurized air is normally supplied to the second chamber, and the electro mechanical means further including a solenoid valve mounted in the second chamber to shut-off the supply of pressurized air through the inlet port in response to the first coded signal, and allow the supply of pressurized air through the inlet port in response to the second

coded signal.

**9.** A dual chamber brake system in accordance with Claim 7 wherein a conduit is included in the second chamber for venting pressurized air, said conduit being controlled by the solenoid valve, and wherein the solenoid valve allows the venting of pressurized air through the conduit in response to the first coded signal, and disallows the venting in response to the second coded signal.

**10.** A dual chamber brake system in accordance with Claim 7 wherein the electro mechanical means include the solenoid valve and a receiver decoder, said receiver decoder being adapted for receiving the first and second coded signals and for controlling the solenoid valve in response to said signals.

**11.** A dual chamber brake system in accordance with Claim 10 wherein the solenoid valve is controlled by the flow of electric current and wherein pressurized air is vented from the second chamber and entry of pressurized air into the second chamber is prevented in the absence of flow of current through the solenoid valve.

**12.** A dual chamber brake system in accordance with Claim 11 wherein the current is supplied from a power source, a switch is interposed between the power source and the solenoid valve, and wherein the receiver decoder controls the switch in response to the first and second signals, respectively.

**13.** An apparatus for locking and unlocking a brake actuator of a dual chamber brake system that operates brakes with compressed air, wherein the dual chamber includes the brake actuator in a first pressurizable chamber that serves as a service housing chamber and a high spring-rate spring in a second pressurizable chamber that serves as an

emergency housing chamber, the brake actuator being movable in an axial direction to apply and release the brakes of the brake system; in the absence of compressed air the high spring-rate spring expanding to bias and keep the brake actuator in an axially forward position locking the brakes of the brake system, and wherein when there is compressed air in the second chamber the high spring-rate spring is compressed and allows retraction of the brake actuator from its forward position to unlock the brakes, the apparatus comprising:

electro mechanical means, the electromechanical means being mounted in one of the pressurizable service housing chamber and the pressurizable emergency housing chamber and being responsive to a first anti-terrorist coded signal or to a third anti-theft coded signal different from the first signal, for venting pressurized air from the second chamber and for preventing entry of pressurized air into the second chamber whereby expansion of the high spring rate spring causes the brake actuator to move into the axially forward position locking the brakes of the brake system, the electro mechanical means also being responsive to a second coded signal or to a fourth coded signal for allowing pressurized air to enter into the second chamber and for disallowing the venting of pressurized air from the second chamber thereby unlocking the brake actuator and unlocking the brakes.

**14.** An apparatus in accordance with Claim 13 wherein an inlet port is included in the second chamber, said inlet port allowing attachment of a hose through which pressurized air is normally supplied to the second chamber, and wherein the electro mechanical means include a solenoid valve mounted in the pressurizable second chamber to shut-off the supply of pressurized air through the inlet port in response to the first or to the third

coded signal, and allow the supply of pressurized air through the inlet port in response to the second coded or to the fourth coded signal.

**15.** An apparatus in accordance with Claim 14 wherein a conduit is included in the second chamber for venting pressurized air, said conduit being controlled by the solenoid valve, and wherein the solenoid valve allows the venting of pressurized air through the conduit in response to the first coded signal or in response to the third coded signal, and disallows the venting in response to the second coded signal or in response to the fourth coded signal.

**16.** An apparatus in accordance with Claim 13 wherein the electro mechanical means include a solenoid valve and a receiver decoder, said receiver-decoder being mounted in one of the pressurizable first and second chambers and the receiver decoder being adapted for receiving the first, second, third and fourth coded signals and for controlling the solenoid valve in response to said signals.

**17.** An apparatus in accordance with Claim 16 wherein the solenoid valve is controlled by the flow of electric current and wherein pressurized air is vented from the second chamber and entry of pressurized air into the second chamber is prevented in the absence of flow of current through the solenoid valve.

**18.** An apparatus in accordance with Claim 17 wherein the current is supplied from a power source, and wherein the apparatus further comprises switch and circuit means interposed between the power source and the solenoid valve and wherein the receiver decoder controls the switch and circuit means in response to the first, second, third and fourth signals, respectively, the switch and circuit means being adapted for

- (1) interrupting the flow of current in response to the first signal received by the receiver decoder;
- (2) interrupting the flow of current in response to the third signal received by the receiver decoder;
- (3) allowing the flow of current in response to the second signal, received by the receiver decoder, and
- (4) allowing the flow of current in response to the fourth signal received by the receiver decoder.

**19.** An apparatus in accordance with Claim 18 wherein the switch and circuit means include three separate switches, one of said switches being a proximity switch controlled by the position of the brake actuator and staying in a closed position when pressurized air is present in the second chamber, the other two switches being controlled by the receiver decoder.

**20.** An apparatus in accordance with Claim 19 wherein the switch and circuit means include

- (1) a conducting line between the solenoid valve and the power source, said conducting line including one of said switches controlled by the receiver decoder in response to the first and second coded signals, the proximity switch being in line with said switch controlled by the receiver decoder in response to the first and second coded signals,
- (2) the switch and circuit means further including a second conducting line in parallel with the proximity switch and in line with the switch controlled by the receiver decoder in response to the first and second coded signals, said second conducting line including the second of the three switches, said second switch being controlled by the receiver decoder in response to the third and fourth coded signals.

**21.** A dual chamber brake system for locking and unlocking a brake

actuator of a dual chamber brake system that operates brakes with compressed air to be used in trailers and vehicles, the brake system including the brake actuator in a first pressurizable chamber that serves as a service housing chamber and a high spring-rate spring in a second pressurizable chamber that serves as an emergency housing chamber, the brake actuator being movable in an axial direction to apply and release the brakes of the brake system; in the absence of compressed air the high spring-rate spring expanding to bias and keep the brake actuator in an axially forward position locking the brakes of the brake system, and wherein when there is compressed air in the second chamber the high spring-rate spring is compressed and allows retraction of the brake actuator from its forward position to unlock the brakes, the dual chamber brake system further comprising:

electro mechanical means, the electromechanical means being mounted in one of the pressurizable service housing chamber and the pressurizable emergency housing chamber and being responsive to a first anti-terrorist coded signal or to a third anti-theft coded signal different from the first signal, for venting pressurized air from the second chamber and for preventing entry of pressurized air into the second chamber whereby expansion of the high spring rate spring causes the brake actuator to move into the axially forward position locking the brakes of the brake system, the electro mechanical means also being responsive to a second coded signal or to a fourth coded signal for allowing pressurized air to enter into the second chamber and for disallowing the venting of pressurized air from the second chamber thereby unlocking the brake actuator and unlocking the brakes.

**22.** A dual chamber brake system in accordance with Claim 21 wherein an inlet port is included in the second chamber, said inlet port

allowing attachment of a hose through which pressurized air is normally supplied to the second chamber, and wherein the electro mechanical means include a solenoid valve mounted in the pressurizable second chamber to shut-off the supply of pressurized air through the inlet port in response to the first or to the third coded signal, and allow the supply of pressurized air through the inlet port in response to the second coded or to the fourth coded signal.

**23.** A dual chamber brake system in accordance with Claim 22 wherein a conduit is included in the second chamber for venting pressurized air, said conduit being controlled by the solenoid valve, and wherein the solenoid valve allows the venting of pressurized air through the conduit in response to the first coded signal or in response to the third coded signal, and disallows the venting in response to the second coded signal or in response to the fourth coded signal.

**24.** A dual chamber brake system in accordance with Claim 21 wherein the electro mechanical means include a solenoid valve and a receiver decoder, said receiver-decoder being mounted in one of the pressurizable first and second chambers and the receiver decoder being adapted for receiving the first, second, third and fourth coded signals and for controlling the solenoid valve in response to said signals.

**25.** A dual chamber brake system in accordance with Claim 24 wherein the solenoid valve is controlled by the flow of electric current and wherein pressurized air is vented from the second chamber and entry of pressurized air into the second chamber is prevented in the absence of flow of current through the solenoid valve.

**26.** A dual chamber brake system in accordance with Claim 25 wherein the current is supplied from a power source, and wherein the

apparatus further comprises switch and circuit means interposed between the power source and the solenoid valve and wherein the receiver decoder controls the switch and circuit means in response to the first, second, third and fourth signals, respectively, the switch and circuit means being adapted for:

(1) interrupting the flow of current in response to the first signal received by the receiver decoder;

(2) interrupting the flow of current in response to the third signal received by the receiver decoder;

(3) allowing the flow of current in response to the second signal, received by the receiver decoder, and

(4) allowing the flow of current in response to the fourth signal received by the receiver decoder.

**27.** A dual chamber brake system in accordance with Claim 26 wherein the switch and circuit means include three separate switches, one of said switches being a proximity switch controlled by the position of the brake actuator and staying in a closed position when pressurized air is present in the second chamber, the other two switches being controlled by the receiver decoder.

**28.** A dual chamber brake system in accordance with Claim 27 wherein the switch and circuit means include

(1) a conducting line between the solenoid valve and the power source, said conducting line including one of said switches controlled by the receiver decoder in response to the first and second coded signals, the proximity switch being in line with said switch controlled by the receiver decoder in response to the first and second coded signals,

(2) the switch and circuit means further including a second conducting line in parallel with the proximity switch and in line with the switch controlled by the receiver decoder in response to the first and second coded signals, said second conducting line including the second of the three switches, said second switch being controlled by the receiver decoder in response to the third and fourth coded signals.

**29.** An apparatus for locking and unlocking a brake actuator of a dual chamber brake system that operates brakes with compressed air, wherein the dual chamber includes the brake actuator in a first pressurizable chamber that serves as a service housing chamber and a high spring-rate spring in a second pressurizable chamber that serves as an emergency housing chamber, the brake actuator being movable in an axial direction to apply and release the brakes of the brake system; in the absence of compressed air the high spring-rate spring expanding to bias and keep the brake actuator in an axially forward position locking the brakes of the brake system, and wherein when there is compressed air in the second chamber the high spring-rate spring is compressed and allows retraction of the brake actuator from its forward position to unlock the brakes, the apparatus comprising:

electro mechanical means responsive to a first anti-terrorist coded signal or to a third anti-theft coded signal different from the first signal, for venting pressurized air from the second chamber and for preventing entry of pressurized air into the second chamber whereby expansion of the high spring rate spring causes the brake actuator to move into the axially forward position locking the brakes of the brake system, the electromechanical means being mounted in one of the pressurizable service housing chamber and the pressurizable emergency housing chamber and also being

responsive to a second coded signal or to a fourth coded signal for allowing pressurized air to enter into the second chamber and for disallowing the venting of pressurized air from the second chamber thereby unlocking the brake actuator and unlocking the brakes, the electro mechanical means including a solenoid valve and a receiver decoder, said receiver-decoder being mounted in one of the pressurizable first and second chambers and being adapted for receiving the first, second, third and fourth coded signals and for controlling the solenoid valve in response to said signals, the solenoid valve being controlled by flow of electric current and wherein pressurized air is vented from the second chamber and entry of pressurized air into the second chamber is prevented in the absence of flow of current through the solenoid valve, the current being supplied from a power source, and wherein the apparatus further comprises switch and circuit means interposed between the power source and the solenoid valve and wherein the receiver decoder controls the switch and circuit means in response to the first, second, third and fourth signals, respectively, the switch and circuit means being adapted for:

- (1) interrupting the flow of current in response to the first signal received by the receiver decoder;
- (2) interrupting the flow of current in response to the third signal received by the receiver decoder;
- (3) allowing the flow of current in response to the second signal, received by the receiver decoder, and
- (4) allowing the flow of current in response to the fourth signal received by the receiver decoder,

the switch and circuit means including three separate switches, one of said switches being a proximity switch controlled by the position of the

brake actuator and staying in a closed position when pressurized air is present in the second chamber, the other two switches being controlled by the receiver decoder.

**30.** An apparatus in accordance with Claim 29 wherein the switch and circuit means include

(1) a conducting line between the solenoid valve and the power source, said conducting line including one of said switches controlled by the receiver decoder in response to the first and second coded signals, the proximity switch being in line with said switch controlled by the receiver decoder in response to the first and second coded signals,

(2) the switch and circuit means further including a second conducting line in parallel with the proximity switch and in line with the switch controlled by the receiver decoder in response to the first and second coded signals, said second conducting line including the second of the three switches, said second switch being controlled by the receiver decoder in response to the third and fourth coded signals.

**31.** A dual chamber brake system for locking and unlocking a brake actuator of a dual chamber brake system that operates brakes with compressed air to be used in trailers and vehicles, the brake system including the brake actuator in a first pressurizable chamber that serves as a service housing chamber and a high spring-rate spring in a second pressurizable chamber that serves as an emergency housing chamber, the brake actuator being movable in an axial direction to apply and release the brakes of the brake system; in the absence of compressed air the high spring-rate spring expanding to bias and keep the brake actuator in an axially forward position locking the brakes of the brake system, and wherein when there is compressed air in the second chamber the high spring-rate spring is

compressed and allows retraction of the brake actuator from its forward position to unlock the brakes, the dual chamber brake system further comprising:

electro mechanical means mounted in one of the pressurizable service housing chamber and the pressurizable emergency housing chamber and being responsive to a first anti-terrorist coded signal or to a third anti-theft coded signal different from the first signal, for venting pressurized air from the second chamber and for preventing entry of pressurized air into the second chamber whereby expansion of the high spring rate spring causes the brake actuator to move into the axially forward position locking the brakes of the brake system, the electro mechanical means also being responsive to a second coded signal or to a fourth coded signal for allowing pressurized air to enter into the second chamber and for disallowing the venting of pressurized air from the second chamber thereby unlocking the brake actuator and unlocking the brakes, the electro mechanical means including a solenoid valve and a receiver decoder, said receiver-decoder being mounted in one of the pressurizable first and second chambers and being adapted for receiving the first, second, third and fourth coded signals and for controlling the solenoid valve in response to said signals, the solenoid valve being controlled by flow of electric current and wherein pressurized air is vented from the second chamber and entry of pressurized air into the second chamber is prevented in the absence of flow of current through the solenoid valve, the current being supplied from a power source, and wherein the apparatus further comprises switch and circuit means interposed between the power source and the solenoid valve and wherein the receiver decoder controls the switch and circuit means in response to the first, second, third

and fourth signals, respectively, the switch and circuit means being adapted for:

(1) interrupting the flow of current in response to the first signal received by the receiver decoder;

(2) interrupting the flow of current in response to the third signal received by the receiver decoder;

(3) allowing the flow of current in response to the second signal, received by the receiver decoder, and

(4) allowing the flow of current in response to the fourth signal received by the receiver decoder,

the switch and circuit means including three separate switches, one of said switches being a proximity switch controlled by the position of the brake actuator and staying in a closed position when pressurized air is present in the second chamber, the other two switches being controlled by the receiver decoder.



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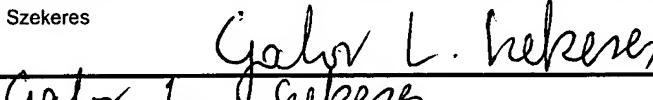
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		Application Number	10/060,840
		Filing Date	January 30, 2002
		First Named Inventor	Barnett
		Art Unit	3683
		Examiner Name	Burch, Melody M.
Total Number of Pages in This Submission	36	Attorney Docket Number	203-07-CIP2

### ENCLOSURES (Check all that apply)

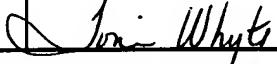
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Gabor L. Szekeres
Signature	
Date	December 13, 2004

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# FEET TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 250.00)

## Complete if Known

Application Number	10/060,840
Filing Date	January 30, 2002
First Named Inventor	Barnett
Examiner Name	Melody Burch
Art Unit	3683
Attorney Docket No.	203-07-CIP2

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None

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Deposit Account Number  
502362

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Gabor L. Szekeres

The Director is authorized to: (check all that apply)

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## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	
			- 3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	250.00
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 250.00)

(Complete if applicable)

SUBMITTED BY		(Complete if applicable)		
Name (Print/Type)	Gabor L. Szekeres	Registration No. (Attorney/Agent)	28,675	Telephone 714-998-3295
Signature	Gabor L. Szekeres		Date	Dec 13, 2004

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